

AO 91 (Rev. 02/09) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Western District of Texas

Filed
By 9-30-16
Clerk, U. S. District Court
Western District of Texas
KZV
Deputy

United States of America)

v.)

GAVIN FRIEDMAN)

Case No. SA: 16-MJ-0926)

*Defendant***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of _____ in the county of Kerr in the Western District of
Texas _____, the defendant violated 18 U. S. C. § 871
, an offense described as follows:

Ct 1: Threats Against the President of the United States on or about 09/19/2016

Ct 2: Threats Against the President of the United States on or about 09/26/2016

Statutory Penalties: Not more than 5 years imprisonment; \$250,000.00 fine; 3 years TSR; & \$100 Spl Asmt

This criminal complaint is based on these facts:

SEE ATTACHED

☒ Continued on the attached sheet.

Morgan McMahon
Complainant's signature

MORGAN McMAHON, DUSM, USMS
Printed name and title

Sworn to before me and signed in my presence.

Date: 9/30/2016

Pamela A. Mathy
Judge's signature

City and state: San Antonio, Texas

PAMELA A. MATHY, US Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

US v Gavin Friedman

Your affiant, Morgan McMahon, being duly sworn does hereby depose and state as follows:

I, Morgan McMahon, am currently employed as a Deputy United States Marshal with the United States Marshals Service assigned to the San Antonio District Office in San Antonio, Texas, as a Senior Inspector in Protective Intelligence. I have been employed by the USMS since February 2011. As a Deputy U.S. Marshal (DUSM) I work with federal and state law enforcement officers in the investigation of violations of federal laws, including Title 18 of the United States Code. During the course of my employment, I have been personally involved in a number of federal criminal investigations.

I have personally participated in this investigation and am thoroughly familiar with the information contained in this affidavit either through personal investigation or through discussions with other law enforcement personnel or correctional staff. The following information is derived from my review of physical evidence, as well as the review of reports of, and discussions with correctional officers and investigators who have personal knowledge of the matters covered in those reports and discussions, and from conversations with persons, further identified below, who have personal knowledge of the events described herein. All of the facts set forth below are true and correct to the best of my knowledge:

The United States Marshals Service, along with the Federal Bureau of Investigation (FBI), the United States Secret Service (USSS), and the District Office Security Manager, United States Attorney's Office, Western District of Texas, is conducting a federal criminal investigation into threats against the President of the United States made by GAVIN FRIEDMAN.

On September 20, 2016, an envelope containing a letter addressed to: "Richard Durban, 601 NW Loop 410 Ste 600, San Antonio, Texas 78216", was received at the United States Attorney's office, Western District of Texas via United States Mail. The envelope's return address indicated that the letter was from GAVIN FRIEDMAN, in Kerrville, Texas. The envelope was postmarked 19 Sep 2016. The envelope bore the phrase "Legal Mail" in several places. The envelope contained a two-page letter, signed GAVIN FRIEDMAN. The letter starts out "I am going to ASSAINATE the president of the United States, Barak

Hussan Obama. I am going to kill him, and detonate a explosive device at the white house ...". The letter includes a crude drawing of an ammonium nitrate explosive device, detonation device and ignitor. The letter also contains threats against the FBI Field Office in Houston, Texas, CIA Headquarters in Langley, Virginia, NSA Headquarters, the Pentagon, a Judge, a federal Judge, an Attorney General, a US Attorney, and Special Agents.

On September 27, 2016, an envelope containing a letter addressed to: "Richard Durban, 601 NW Loop 410 Ste 600, San Antonio, Texas 78216", was received at the United States Attorney's office, Western District of Texas via United States Mail. The envelope's return address indicated that the letter was from GAVIN FRIEDMAN, in Kerrville, Texas. The envelope was postmarked 26 Sep 2016. The envelope contained a one-page letter. The letter starts out "I am going to assaniate the presedent of the United States, Barak Hussan Obama. I am going to kill that stupid ...". The letter includes threats to detonate an explosive device at the FBI Field Office in Houston, Texas, CIA Headquarters in Langley, Virginia, and NSA Headquarters, and to kill and kidnap other persons.

On September 29, 2016, I traveled to the Kerr County Jail, where FRIEDMAN is detained on three state charges of Obstruct Retaliation Harm/Threat (case #s 2016-00968, 2016-01163, and 2016-00968) and one charge of Prohibited Substance in Correctional Facility (# 2016-00956). FRIEDMAN told me "I do want you to know that I have every intention of doing what I said I was going to do in those letters."

Based on all of the above, I submit that there is probable cause to believe that:

COUNT ONE: on or about September 19, 2016, in the Western District of Texas, Defendant GAVIN FRIEDMAN did knowingly and willfully deposit for conveyance in the mail and for a delivery from a post office and by a letter carrier a letter, paper, writing, print, missive, and document containing a threat to take the life of, to kidnap, and to inflict bodily harm upon the President of the United States, specifically, to assassinate and kill him by detonating an explosive device at the White House, all in violation of 18 USC § 871(a); and

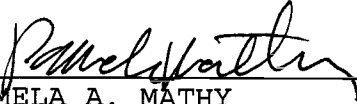
COUNT TWO: on or about September 26, 2016, in the Western District of Texas, Defendant GAVIN FRIEDMAN did knowingly and willfully deposit for conveyance in the mail

and for a delivery from a post office and by a letter carrier a letter, paper, writing, print, missive, and document containing a threat to take the life of, to kidnap, and to inflict bodily harm upon the President of the United States, specifically, to assassinate and kill him, all in violation of 18 USC § 871(a).



Morgan McMahon
Deputy United States Marshal

Sworn to before me on September 30, 2016.



PAMELA A. MATHY
UNITED STATES MAGISTRATE JUDGE